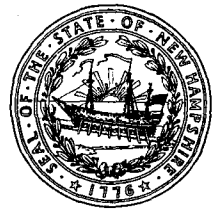




State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY  
SP-2005-02**

June 08, 2005

Louis R Vermette  
PO Box 850  
Lakeville, MA 02347

RE: DES Wetlands File #2005-00903 West Shore Rd, Alexandria

Dear Mr. Vermette:

On May 12, 2005, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Alexandria Tax Map 202 as Lot 63 (the "Property"). The purpose of the inspection was to determine compliance with RSA 483-B and NH Code of Admin. Rules Env-Ws 1400-1409.

During the inspection the following deficiencies were documented:

1. An enclosed structure measuring approximately 14 feet 3 inches x 14 feet 3 inches with an attached deck 4 feet wide on the lake side was constructed on the north end of the property within 20 feet of the reference line to Newfound Lake;
2. A deck measuring approximately 16 ft x 16 ft was being constructed immediately south and contiguous to the enclosed structure;
3. The enclosed structure was supported by (4) 12" HDPE culverts filled with concrete, placed in and above the bank and potentially below the normal high water line on Newfound Lake;
4. DES documented approximately 18 saplings and shrubs that were cut down within the footprint of the enclosed structure;

During the inspection the following additional structures were documented:

1. On the southern end of the lot a previously existing 3-sided concrete foundation was located in the banks of Newfound Lake, which supported a screen house;
2. The concrete foundation measured approximately 19 feet 8 inch along the shoreline and the north side wall measured approximately 9 feet 4 inch and the south side wall measured approximately 8 feet 3 inch on;
3. Remnants of (4) concrete piers was documented along the south side of the old screen house foundation in the bank and above;
4. Stepped access was previously constructed from West Shore Road down to the shoreline;
5. There was an existing screen house that was damaged during the past winter;

6. There was an existing deck adjacent to the screen house;
7. Tax card information stated a 14 ft x 14 ft screen house and a 10 ft x 14 ft deck was previously located on the property;

In response, you are requested to take the following actions:

1. Within 30 days of receipt of this Letter of Deficiency, submit a restoration plan to DES for review and approval. Have the restoration plan include provisions for complete removal of the 14 foot 3 inch x 14 foot 3 inch enclosed structure, attached 4 foot deck and the four support structures, and reduce the newly constructed 16 foot x 16 foot deck to the previous dimensions of 10 feet x 14 feet and replanting of native shrubs in the location of the enclosed structure on the Property. Submit the following with the restoration plan:

- a. A plan with dimensions, drawn to scale, showing:
  1. Existing conditions, with the normal high water line, the twenty foot setback; and;
  2. Proposed conditions after restoration with native vegetation and removal of the enclosed structure and reduction of the 16 foot x 16 foot deck;
- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, etc) and stabilization of the restoration area;
- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area. A plantings plan showing the number, type of plant species, proposed location of plantings, and diameters of the plant species at breast height. Saplings should be a minimum of 4-6 feet in height and all plantings should be from the list of New Hampshire native and naturalized species (copy enclosed). Saplings should be proposed in areas where trees were removed.
- d. A description of the proposed construction sequence and methods for accomplishing the restoration, and time frame for completion.
- e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project. This should include at a minimum monitoring progress reports for two successive growing seasons following completion of the restoration project.

2. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 483-B, the New Hampshire Comprehensive Shoreland Protection Act, was enacted to protect and preserve the shorelands of the State to maintain the integrity and exceptional quality of the State's public waters. RSA 483-B and Env-Ws 1400-1409 establish minimum standards for the future subdivision, use, and development of the shorelands within 250 feet of the state's public waters.

and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel will conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey D. Blecharczyk, Compliance Coordinator  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-6876.

Sincerely,



Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL: 7004 0750 0001 2491 9182

cc: Rene Pelletier, Manager, Land Resources Management Program  
Gretchen R. Hamel, Administrator, DES Legal Unit  
Alexandria Conservation Commission  
Alexandria Board of Selectmen  
Alexandria Health Officer  
USACOE